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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2415/2017**

VIJAY @ CHHOTU

..... Petitioner

Through: Mr. Santosh Kumar with Mr. Rajiv
Mishra & Ms. Shruti Sharma,
Advocates.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Ashish Dutta, APP for State with
SI Manoj Kumar, PS Govindpuri.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

13.12.2017

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Arguments addressed on behalf of either side.

Status report has been submitted on behalf of the State.

On behalf of the applicant, it has been contended that the Sections 392/397/411/34 of Indian Penal Code, 1860 are not brought forth against the applicant/petitioner and that the applicant/petitioner has been falsely implicated in the instant case.

The charge-sheet has already been filed and charges have been framed and the observations of the learned Trial Court are to the effect in order dated 10.06.2016, that public witnesses are yet to be examined and consequently the bail was declined inasmuch as there are some public witnesses yet to be examined. It is submitted on behalf of the applicant that there are no public witnesses in the matter.

It has been submitted on behalf of the State that as per the charge-sheet there are two complainants namely Tinku and Gopal thereto, who are the victims qua whom it has been observed that the public witnesses have to be examined. It has further been stated by the State that the recovery of the knife at the point of which there had been two robberies committed by the applicant within a span of an hour has also been effected and the articles robbed have also been recovered.

Without observations on the merits or demerits of the case, taking the said aspect into account that the two alleged incidents of robberies have taken place within a span of one hour, i.e., 2.30 a.m. to 3.30 a.m., there is no ground for grant of bail to the applicant.

Thus, the present bail application is declined.

ANU MALHOTRA, J

DECEMBER 13, 2017
Vm/Neha Chopra